

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

May 24, 2017
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Greg Stanton, Phoenix, Chair	# Mayor Thomas Schoaf, Litchfield Park
Mayor Jackie Meck, Buckeye, Vice Chair	* Mayor Christian Price, City of Maricopa
* Councilmember Robin Barker, Apache Junction	* Supervisor Denny Barney, Maricopa County
Councilmember Lorenzo Sierra for Mayor Kenneth Weise, Avondale	Mayor John Giles, Mesa
# Councilmember Mike Farrar, Carefree	Vice Mayor Jerry Bien-Willner for Mayor Michael Collins, Paradise Valley
Councilmember David L. Smith, Cave Creek	Mayor Cathy Carlat, Peoria
Mayor Jay Tibshraeny, Chandler	* Supervisor Todd House, Pinal County
Mayor Lana Mook, El Mirage	Mayor Gail Barney, Queen Creek
* Mayor Tara Walter, Florence	* President Delbert Ray, Salt River Pima-Maricopa Indian Community
* President Bernadine Burnette, Fort McDowell Yavapai Nation	Mayor W.J. "Jim" Lane, Scottsdale
Councilmember Nick DePorter, Fountain Hills	Mayor Sharon Wolcott, Surprise
Mayor Tommy Lee Sikes, Gila Bend	Mayor Mark Mitchell, Tempe
Governor Stephen Roe Lewis, Gila River Indian Community	# Mayor Anna Tovar, Tolleson
Mayor Jenn Daniels, Gilbert	Mayor Everett Sickles, Wickenburg
Mayor Jerry Weiers, Glendale	Mayor Michael LeVault, Youngtown
Mayor Georgia Lord, Goodyear	Mr. Roc Arnett, Citizens Transportation Oversight Committee
# Mayor Valerie Molina, Guadalupe	* Mr. Joseph La Rue, State Transportation Board
	Mr. Jack Sellers, State Transportation Board

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference

1. **Call to Order**

A quorum was present and a video on MAG meeting guidelines and public input opportunities was played.

The meeting of the MAG Regional Council was called to order by Vice Chair Jackie Meck, City of Buckeye, at 11:33 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Councilmember Michael Farrar, Mayor Valerie Molina, Mayor Thomas Schoaf, and Mayor Anna Tovar joined the meeting by teleconference.

Vice Chair Meck introduced Vice Mayor Jerry Bien-Willner as proxy for Mayor Michael Collins, Paradise Valley.

Chair Greg Stanton, Phoenix, arrived at the meeting.

Chair Stanton noted that at each place was an updated Programs in Brief for agenda item #12.

3. Call to the Audience

An opportunity was provided to members of the public to address the Regional Council on items that are not on the agenda that are within the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens were requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Stanton recognized public comment from Mr. John Rusinek, who said that the Maricopa County Air Quality Department, governed by the Board of Supervisors, is the regulating agency to ensure that federal clean air standards are achieved. Mr. Rusinek read the ordinance for ingress and egress on unpaved surfaces of 3,000 feet and larger. He stated that no one will enforce the ordinances. Mr. Rusinek stated that elected officials and city officials take oaths to follow the laws of the U.S. They do not enforce all of the laws and will not talk to you. Chair Stanton thanked Mr. Rusinek for his service.

Chair Stanton recognized public comment from Ms. Dianne Barker, who thanked Mr. Rusinek for his service. She remarked that she has been receiving high pollution advisories because we are now in ozone season. Ms. Barker stated that she would like to see officials report if they did something due to advisories, such as don't drive one in five. She said that with choice, there are consequences. Ms. Barker noted that our system has light rail, buses, and circulators that interconnect. She said that she is able to travel all over the Valley using transit and her folding bicycle, and Rapid transit is the fastest. Chair Stanton thanked Ms. Barker.

4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith stated that when Phoenix Mayor Greg Stanton became chair of MAG, he championed exporting as one of his goals. Mr. Smith noted that businesses from Maricopa, Pinal, and Pima counties that export were honored at the Sun Corridor Export Recognition Program on May 19, 2017. He noted that Mayor Giles presented the Certificate of Achievement for the Top-Scoring Exporter in Maricopa County to Able Aerospace Services, Inc. He noted that Mayor Stanton presented the Certificate of Achievement

as the Top-Scoring Woman-Owned Business to Daphne's Head Covers. Mr. Smith acknowledged Ms. Amy St. Peter, MAG Assistant Director, and the MAG Communications and Administrative Divisions for their work on the event. He displayed photographs of the elected officials, presenters, and attendees at the event.

Mr. Smith stated that another event relevant to exporting is the ExporTech Program for companies to learn about exporting. He said that the four companies participating are Parker Fasteners in the City of Goodyear, Optilab and Occam Sustainability Partners in the City of Phoenix, and Truce in the City of Tempe. A video on the program was shown. Mr. Smith said that a Raytheon marketer, which most people think of as a Tucson business, said at the meeting that 165 of its supply chain are in the Valley. Mr. Smith added that the Raytheon representative could be a presenter at a future Economic Development Committee meeting.

Chair Stanton thanked Mr. Smith for his report. He expressed his hope that the incoming chair will continue the initiatives of the outgoing chair.

5. Approval of Consent Agenda

Chair Stanton noted that agenda items #5A, #5B, #5C, and #5D were on the Consent Agenda.

Chair Stanton noted that on May 17, 2017, the Transportation Policy Committee recommended approval of the project changes requested in agenda item #5B. On May 18, 2017, the MAG Human Services and Community Initiatives Committee recommended approval of the priority listing of projects in agenda item #5C.

Chair Stanton noted that Ms. Barker had submitted a card for agenda item #5A. She was not present and action would be taken on agenda items #5B, #5C, and #5D.

Chair Stanton asked if members had questions or requests for a presentation on any of the Consent Agenda items.

None were noted.

Mayor Michael LeVault moved to approve the Consent Agenda items #5B through #5D. Mayor Mark Mitchell seconded, and the motion passed, with Governor Stephen Roe Lewis abstaining.

5B. Project Changes - Amendment and Administrative Modification to the FY 2017-2021 MAG Transportation Improvement Program, 2035 MAG Regional Transportation Plan, and as Appropriate, for Inclusion in the Draft FY 2018-2022 MAG Transportation Improvement Program, Draft FY 2017 Transit Program of Projects, Working Draft FY 2018 Transit Program of Projects, and Draft 2040 MAG Regional Transportation Plan

The MAG Regional Council, by consent, approved the proposed project changes for the FY 2017-2021 MAG Transportation Improvement Program (TIP), 2035 MAG Regional Transportation Plan (RTP), and as appropriate, for inclusion in the Draft FY 2018-2022 MAG TIP, the Draft FY 2017 Transit Program of Projects, the Working Draft FY 2018 Transit Program of Projects, and the Draft 2040 MAG

RTP. The Fiscal Year (FY) 2017-2021 MAG Transportation Improvement Program (TIP), and amendment to the 2035 Regional Transportation Plan (RTP) were approved by the MAG Regional Council on June 22, 2016, with the last modification approved at the April 26, 2017, Regional Council meeting. Since then, additional changes and modifications have been requested by member agencies. Project changes requested are not contingent on a new finding of conformity in the current FY 2017-2021 MAG TIP. The requested project changes were recommended for approval by the MAG Transportation Review Committee on April 27, 2017, and on May 10, 2017, by the MAG Management Committee, and on May 17, 2017, by the Transportation Policy Committee.

5C. FY 2017 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program Recommendation for the Phoenix-Mesa Urbanized Area

The MAG Regional Council, by consent, approved the priority listing of projects for the FY 2017 FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program for the Phoenix-Mesa UZA to be forwarded to the City of Phoenix Public Transit Department with projects to be funded based on rank order, and of the associated amendments and administrative modifications to the FY 2017-2021 MAG Transportation Improvement Program, and as appropriate, to the 2035 Regional Transportation Plan, the Draft FY 2018-2022 MAG Transportation Improvement Program, the Draft FY 2017 Program of Projects, the Draft FY 2018 Program of Projects, and Draft 2040 Regional Transportation Plan. The Federal Transit Administration (FTA) provides Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program funding for private nonprofit agencies, public transit providers, and public bodies that provide transportation services for older adults and individuals with disabilities. MAG prepares the Section 5310 priority listing of projects through an open application process for the Phoenix-Mesa Urbanized Area (UZA), which is approved through the MAG committees and Regional Council. Approximately \$3 million is estimated to be available for this year's Section 5310 Phoenix-Mesa Urban UZA projects. On April 11, 2017, the MAG Elderly and Persons with Disabilities Transportation Ad Hoc Committee developed a priority listing of projects for FY 2017 FTA Section 5310 Phoenix-Mesa UZA. The priority listing of projects was recommended for approval on May 10, 2017, by the MAG Management Committee and on May 18, 2017, by the MAG Human Services and Community Initiatives Committee.

5D. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2017-2021 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including Bicycle and Pedestrian Master Plans and First Time Update projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

11. Implementation of Text-to-9-1-1 in the MAG Region

This agenda item was taken out of order.

Mr. Nathan Pryor, MAG staff, introduced Ms. Liz Graeber, Phoenix Fire Department, Administrator of the Maricopa Region (MR) 9-1-1 system, who was present to answer any technical questions. Mr. Pryor stated that the purpose of this agenda item is to request approval of \$150,000 in funding to purchase software to implement text-to-9-1-1 in the MAG region.

Mr. Pryor stated that since 1985, MAG has administered the Maricopa Region 9-1-1 (MR 9-1-1) system with the City of Phoenix serving as the contracting agency. He reported that the region has been continuously working to develop a state-of-the-art 9-1-1 system. Mr. Pryor stated that the implementation of text-to-9-1-1 is another example of the region ensuring public safety with high quality 9-1-1 service.

Mr. Pryor stated that text-to-9-1-1 enables those who are unable to use conventional methods to contact 9-1-1 in an emergency, for example, when safety is in jeopardy and the caller is unable to speak, for example, in a domestic violence situation. Those with speech or hearing impairments could use Text-to-9-1-1 to contact emergency services.

Mr. Pryor stated that the software is a low cost, first iteration solution that could be implemented in six to twelve months. In the future, the 9-1-1 system could include additional Next Generation features, such as video-to-9-1-1. On May 15, 2017, the MAG Executive Committee recommended approval of \$150,000 to implement text-to-9-1-1 in the MAG region.

Mr. Pryor stated that protocols on how to use the service are being developed. It will be encouraged that if a caller is able to use traditional voice 9-1-1, then this should be their first option to contact emergency services. He noted that the MAG 9-1-1 Study Committee, co-chaired by Mr. Chris Brady, Mesa, and Mr. Kevin Phelps, Glendale, directed staff to develop a Next Generation 9-1-1 Plan. Mr. Pryor stated that next month staff will be seeking approval of the Next Generation 9-1-1 Plan and provide additional information on the status of MR 9-1-1.

Chair Stanton asked members if they had questions.

Mr. Dennis Smith noted that implementation of the text-to-9-1-1 software option has a cost estimate of \$150,000 for the first year and \$44,000 per year in subsequent years. Funding for the first year would be provided from MAG reserves. The ongoing costs beyond the first year would be added to the FY 2019 9-1-1 assessment paid by member agencies.

Chair Stanton noted that but for the 9-1-1 fund sweeps, text-to-9-1-1 might have been implemented sooner. He added that there was litigation by the disability community, but text-to-9-1-1 will improve public safety and it is time to do the right thing.

With no further questions, Mayor Jerry Weiers moved approval of \$150,000 to implement text-to-9-1-1 in the MAG region. Mayor Georgia Lord seconded, and the motion passed unanimously.

5A. Approval of the April 26, 2017, Meeting Minutes

Mayor Michael LeVault moved approval of the April 26, 2017, meeting minutes. Mayor Lana Mook seconded, and the motion passed unanimously.

6. MAG at 50: Celebrating Decade Four

Ms. Kelly Taft, MAG staff, stated that MAG's 50th Anniversary is being celebrated this year. She said that series of five videos highlighting achievements in each decade of MAG's history are being produced. Ms. Taft stated that the anniversary celebration will culminate at the MAG Annual Meeting and Passing of the Gavel on June 28, 2017. She reminded members to RSVP by June 16, 2017, if they will be attending the event at the Hyatt Regency in downtown Phoenix. The video recap of decade four was played. Ms. Taft noted that the video is posted on MAG's YouTube web page.

Chair Stanton thanked Ms. Taft and expressed that the video was well done. The video was applauded.

7. Vitalyst Health Foundation's Year of Healthy Communities

Ms. Brande Mead, MAG staff, stated that in November 2016, MAG held a human services conference. The keynote speaker, Ms. Suzanne Pfister, President and CEO of Vitalyst Health Foundation, spoke about 2017 as the Year of Healthy Communities. Ms. Mead stated that the presentation resonated with attendees and members of the Human Services Committee. She noted that Vitalyst Health Foundation has been invited to speak at some MAG committee meetings to learn more about their efforts. Ms. Mead stated that the topics of homelessness, domestic violence, human services transportation, and older adults are connected to creating healthy communities.

Ms. Mead introduced Councilmember Michelle Hess, City of Buckeye, Chair of the MAG Human Services Community Initiatives Committee, and Ms. Suzanne Pfister, Vitalyst Health Foundation.

Ms. Pfister first noted that she had worked with Mr. Dennis Smith for many years – going back to 1977 when she interned at the League of Arizona Cities and Towns. She stated that health is created everywhere and place has an impact on our lives. Ms. Pfister presented a map of life expectancy compiled by Virginia Commonwealth University, the Center on Society and Health, and the Robert Wood Johnson Foundation. Life expectancies ranged from 71 years in South Phoenix to 85 years in North Scottsdale.

Ms. Pfister displayed a graphic of the social determinant of a healthy community – access to care, transportation options, social/cultural cohesion, parks and recreation, community design, environmental quality, educational opportunity, economic opportunity, community safety, and affordable quality housing. She noted that each element in the graphic is clickable and is posted on the Vitalyst Health Foundation's website, livewellaz.org.

Ms. Pfister stated that the goals of the Vitalyst Health Foundation are to identify, lift up and celebrate efforts to help Arizonans be healthier and live well; facilitate connections between groups and sectors, shift the "health" paradigm – health is more than health care; and influence policies and systems for change. Ms. Pfister stated that Ajo, Wickenburg, and Goodyear have vibrant programs. She said that communication and coordination could be improved on food policy efforts.

Ms. Pfister stated that the Vitalyst Health Foundation has planned eight to twelve webinars, four to eight partner events, media engagements, and more than 12 workshops at cities and towns, universities, and sectors, etc. She thanked Mayor Jackie Meck and the City of Buckeye for hosting the Vitalyst

Foundation at a workshop, and she added that they have had conversations with the City of Chandler and City of Peoria. She indicated that the Vitalyst Foundation is available to help communities thrive.

Councilmember Michelle Hess continued the presentation. She stated that the MAG Human Services Community Initiatives Committee wanted to share the concepts of the Vitalyst Foundation with the Regional Council. She noted that cities learned they were not in silos during the Recession and they needed to work together. Councilmember Hess requested that the Regional Council support the Vitalyst Health Foundation's Year of Healthy Communities.

Chair Stanton remarked that this is incredibly important information. He asked if there were questions. None were noted.

Mayor Tommy Lee Sikes moved approval to support the Vitalyst Health Foundation's Year of Healthy Communities. Mayor Lana Mook seconded, and the motion passed unanimously.

8. Happy City

Mr. Jason Stephens, MAG staff, introduced this agenda item. Mr. Stephens stated that MAG is currently in the process to begin developing its first ever Active Transportation Plan. He stated that the theme of the plan is a *Happy, Healthy Region for All*, and this coincides with the Vitalyst effort.

Mr. Stephens stated that the Plan will be a comprehensive update of MAG's regional bicycle and pedestrian plans. He noted that the Plan will include a placemaking component of transit connections, open space and shared space, that together with a truly active transportation network, will increase economic activity and prosperity. Mr. Stephens stated that they hope to utilize some of the principles from the active transportation plan effort in developing the larger planning effort on the horizon – the extension of Proposition 400. Mr. Stephens introduced Mr. Charles Montgomery, the author of the book *Happy City*.

Chair Stanton welcomed Mr. Montgomery to MAG.

Mr. Montgomery stated that one of the jobs of local governments is to build healthy and happy communities. He indicated that creating happy and healthy communities draws from various disciplines: public health, psychology, neuroscience, behavioral economics, sociology, etc.

Mr. Montgomery stated that there are four components to urban health and happiness: social connections and relationships to accommodate face-to-face connections, freedom to move around a region, sense of belonging, and inclusion to build cities for everyone. Mr. Montgomery noted that people who have a sense of belonging to a community live 17 years longer on average.

Mr. Montgomery addressed emotional infrastructure. He stated that data he was using were from the Atlanta area. Mr. Montgomery compared two urban systems – one that is car-dependent, and the other that is closer in and transit enabled. He noted that residents in the transit focused community tended to weigh ten pounds less, live three to five years longer, pay less tax, spend half as much on transportation, have more social time, more likely to vote, volunteer and trust their neighbors, and among those married, have a lower divorce rate than residents in the car-dependent community.

Mr. Montgomery stated that 60 percent of those who ride bicycles or walk in their commute stated that these modes make them feel the most joy and the least fear and sadness. He noted that 60 percent of those surveyed want to try bicycling in their commute, but only three percent of bicycle riders (called kamikazes) are brave enough to use the type of infrastructure used here. He displayed a photograph of separated bicycle infrastructure. Mr. Montgomery stated that most people like walking, but almost no one in this region walks to work because the distances are too far. He noted that more than 28 percent of people in this region are obese and 87,000 have obesity related cancer.

Mr. Montgomery stated that in one day in the area of Maryland Avenue and 43rd Avenue, a seven-year-old and a 17-year-old were killed in one incident, and another person was killed in a head-on collision in a second incident. He noted that surrounding the area are a park, a school, a shopping center, and homes. Mr. Montgomery pointed out that in 2015 there were 113 murders in Maricopa County, which is not as scary as riding a bike or walking because 120 pedestrians and bicyclists were killed here that same year.

Mr. Montgomery stated that cities are adopting a vision zero – not one death in traffic is OK. He stated that the City of Vancouver, Canada, is creating more walking and biking infrastructure, so even as the population is increasing the death rate of pedestrians and bicyclists is decreasing. Mr. Montgomery stated that it is wonderful to see how open space is being apportioned with the light rail project. He commented that transit makes people happy.

Mr. Montgomery stated that bus and rail need to operate quickly, frequently, and reliably to make sure people want to use them. To improve transit performance, transit should never wait behind a single occupant vehicle. He noted that a \$40 million investment in transit in Cleveland, Ohio, resulted in a 1000 percent return on investment. In West Palm Beach, a \$10 million investment on placemaking resulted in a return on investment of \$350 million in the first five years.

Mr. Montgomery stated that walkable density adds people, jobs, and taxes, but not traffic. Mr. Montgomery stated that making investments in the community and a good transportation system will ensure that businesses will come, health costs will decrease, and people will have more joyful lives.

Chair Stanton thanked Mr. Montgomery for his presentation. He was applauded.

9. City of Avondale Request for a Second Deferral for the Construction Phase of the Agua Fria Multi-use Path Project, Phase I

Ms. Teri Kennedy, MAG staff, began the report by saying that the City of Avondale has requested a second deferral of its Fiscal Year (FY) 2017 Agua Fria multi-use path Phase I construction project to FY 2019. Ms. Kennedy reported that the MAG Federal Programming Guidelines require approval through the MAG committee process for a second deferral.

Ms. Kennedy stated that to receive a second deferral, the project sponsor must present to MAG committees and establish that the cause of the project deferral was beyond the control of the project sponsor, that the sponsor has identified the problem causing the delay, continues to provide a financial and staff commitment to the project, and has a plan and schedule for addressing the problem. Ms. Kennedy then introduced Mr. Chris Hamilton from the City of Avondale.

Mr. Hamilton stated that the project first was to construct an asphalt path and I-10 underpass along the Agua Fria River east bank connecting a privately developed path, which would connect Van Buren Street to Friendship Park at McDowell Road. He explained how the project was split into two phases - Phase I and Phase II.

Mr. Hamilton provided an overview of the Agua Fria multi-use path Phase I project, which is to construct a multi-use path from the south side of I-10 to the south bank of the ADOT drainage channel ending in a trailhead. The I-10 underpass will be included in this project. The City of Avondale will also install a privately funded path from Van Buren. Phase II is to construct a pedestrian/bicycle bridge across the ADOT drainage channel connecting Friendship Park to the existing trailhead installed in Phase I. Mr. Hamilton indicated the project is important for Avondale to connect to the regional system. He noted that the project total is approximately \$1.34 million.

Mr. Hamilton noted that the challenge for this project is that a 408 permit is required. He explained that in late 2014, the Army Corps of Engineers began to heavily enforce the 408 permit process, which was after the project had already received its first deferment. Mr. Hamilton stated that the 408 Process takes approximately one year, requires that final plans are submitted with the application, does not allow expedited review, and communications can be between the Corps of Engineers and the Flood Control District of Maricopa County only.

Mr. Hamilton reviewed the project schedule. He noted that the second deferral has been recommended for approval by the MAG Bicycle and Pedestrian Committee, the MAG Transportation Review Committee, and the MAG Management Committee. Mr. Hamilton remarked that the City believes the schedule is achievable to deliver the project and the City ensures that the project will obligate in FY 2019.

Mr. Hamilton stated that the budget has remained at the same total of \$1.34 million. He added that the City of Avondale Capital Improvement Program contains funding for this project.

Chair Stanton thanked Ms. Kennedy and Mr. Hamilton for their reports and asked if there were questions. There were none.

Mayor Gail Barney moved approval of a second deferral for the City of Avondale, Agua Fria multi-use path Phase I construction project, from FY 2017 to FY 2019. Councilmember Lorenzo Sierra seconded, and the motion passed unanimously.

10. Interstate 10/Interstate 17 Corridor Master Plan - Acceptance of Final Corridor Master Plan Recommendations

Mr. Bob Hazlett, MAG staff, noted that he had provided a full report last month on the recommendations of the Interstate 10/ Interstate 17 Corridor Master Plan for information and discussion. He stated that the MAG Management Committee and Transportation Policy Committee recommended approval of the recommendations. Mr. Hazlett stated that since the Regional Council has already received a report, it was suggested forgoing a presentation unless anyone had questions or would like a report. None were noted.

Mr. Roc Arnett moved acceptance of the final recommendations from the Interstate 10/Interstate 17 Corridor Master Plan for Interstate 10, between the Interstate 17 Split and Loop 202 Pecos Stack traffic interchanges, and for Interstate 17, between the Interstate 10 Split and Loop 101 North Stack traffic interchanges for inclusion in the MAG 2040 Regional Transportation Plan, presently in draft form, contingent upon a new finding of conformity. Mayor Georgia Lord seconded, and the motion passed unanimously.

12. Approval of the Draft FY 2018 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

Mr. Dennis Smith noted that at each place was a revised Programs in Brief. He explained that in April 2017, the MAG Regional Council approved a Bicycle and Pedestrian Master Plans and First Time Updates project in the amount of \$600,000 with \$480,000 of that in federal funds. He noted that the project inadvertently was not included in the draft FY 2018 MAG Unified Planning Work Program and Annual Budget.

Mr. Smith thanked the Regional Council for their years of support for MAG and enabling MAG to do meaningful and significant work. Mr. Smith stated that MAG is the planning agency for transportation planning. He stated that the MAG Transportation Improvement Program represents a \$5.1 billion program, which will grow to more than \$7 billion with rebalancing. In addition, MAG also is the planning agency responsible for such complex programs as air quality modeling, population estimates, and transportation modeling.

Mr. Smith stated that the draft budget includes \$500,000 for tenant improvements for the 7th floor of the MAG building. He explained that MAG and the City of Phoenix, as owner of the building, conducted successful lease negotiations. Mr. Smith stated that the lease would be for the seventh floor, except for a large meeting room that the City of Phoenix would retain. He stated that the lease was negotiated for \$18 per square foot and is going to be for all of the MAG leases for ten years. Mr. Smith commented that this rate is a tremendous bargain and MAG is grateful to the City of Phoenix.

Mr. Smith explained that due to the City of Phoenix being the owner of the building, MAG is proposing that the budget be considered in two steps. Action A will be for approval of the resolution adopting the draft FY 2018 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments. Action B would be approval of \$500,000 in the draft FY 2018 MAG Unified Planning Work Program and Annual Budget for tenant improvements to the MAG office space. Mr. Smith stated that Chair Stanton would declare a conflict of interest and abstain from the vote on Action B.

Mr. Smith stated that the Dues and Assessments were first presented in January. In February, the draft FY 2018 Work Program was slightly revised.

Chair Stanton thanked Mr. Smith for his report. No questions from the Council were noted. He asked for a motion for Action 12A.

Mayor Michael LeVault moved approval of the resolution adopting the draft FY 2018 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments, excluding \$500,000 for tenant improvements to the MAG Office Space at the City of Phoenix Building at 302 North First

Avenue, and including in the final FY 2018 MAG Unified Planning Work Program and Annual Budget, the Bicycle and Pedestrian Master Plans and First Time Updates as an on-call project in the amount of \$480,000 with \$120,000 of match for a total of \$600,000. Vice Chair Jackie Meck seconded, and the motion passed unanimously.

Chair Stanton declared a conflict of interest for action 12B and passed the gavel to Vice Chair Jackie Meck.

Vice Chair Meck asked if there were questions.

Mayor Jim Lane asked for clarification that the lease would include the terms and conditions discussed by the Executive Committee.

Mr. Smith replied that under the terms of the lease, the City of Phoenix agreed that MAG would not have to pay for space on the first and seventh floors at the same time. He added that the City of Phoenix also agreed with issues regarding access on the seventh floor and renewal terms. Mr. Smith stated that the City of Phoenix agreed with all of MAG's requests.

With no further questions, Vice Chair Meck asked for a motion on Action 12B.

Mayor Gail Barney moved approval of \$500,000 in the draft FY 2018 MAG Unified Planning Work Program and Annual Budget for tenant improvements to the MAG Office Space at the City of Phoenix Building at 302 North First Avenue. Mayor Lana Mook seconded, and the motion passed, with Mayor Greg Stanton abstaining.

13. Nominating Committee Recommendations

Mayor Jim Lane, Chair of the 2017 Nominating Committee, provided a report on the Nominating Committee's recommendation. He stated that the 2017 MAG Nominating Committee met just prior to the Regional Council meeting. The Nominating Committee made recommendations for the positions of Chair, Vice Chair, Treasurer, and three At-Large Members for the coming year (2017-2018). The past Chair also serves on the Executive Committee.

Chair Lane stated that at each place was a memorandum from me reporting the recommendation of the 2017 MAG Nominating Committee. For Chair: Mayor Jackie Meck, City of Buckeye; for Vice Chair: Mayor Gail Barney, Town of Queen Creek; for Treasurer: Mayor Lana Mook, City of El Mirage; At-Large Members: Mayor Mark Mitchell, City of Tempe; Mayor Jerry Weiers, City of Glendale; and Mayor John Giles, City of Mesa. The Past Chair: Mayor Greg Stanton, City of Phoenix. Mayor Lane noted that the election will be held at the June 28, 2017, Regional Council Annual Meeting.

Mayor Lane expressed his appreciation to the other members of the 2017 MAG Nominating Committee: Councilmember Robin Barker, City of Apache Junction; Mayor Cathy Carlat, City of Peoria; Mayor Jenn Daniels, Town of Gilbert; and Mayor Anna Tovar, City of Tolleson. Mayor Lane expressed his congratulations to the nominees.

Chair Stanton thanked Mayor Lane and the Nominating Committee members for serving on the committee. He noted that no action was being requested today and that the election would be held at the June 28 Annual Meeting.

14. Legislative Update

Mr. Nathan Pryor provided an update on legislative issues of interest. He noted that a fact sheet on the early implementation of contingency measures was at each place. Mr. Pryor stated that late last year, the Ninth Circuit Court ruled that contingency measures for air quality cannot be implemented early. If this ruling stands, it could result in potential disapproval of the contingency measures in MAG's air quality plans.

Mr. Pryor stated that disapproval of the contingency measures would trigger federal sanctions and create significant negative impacts to economic development. If the contingency measures were not fixed within 18 months, there would be tighter controls on business and industry. If not fixed within 24 months, federal highway funds would be withheld.

Mr. Pryor noted that other circuit courts, such as the Fifth Circuit Court, have approved early implementation of contingency measures. He noted that the region served by the Ninth Circuit Court is the only region in the country which is not allowed to implement air quality contingency measures early.

Mr. Pryor stated that the State of Arizona has filed a petition of cert with the U.S. Supreme Court to address this issue. He said there was discussion by the MAG Executive Committee to file an amicus brief, but a legislative path was selected. Mr. Pryor stated that on May 17, the Executive Committee took action to amend the existing contract with Capitol Strategies to work on a legislative fix to the air quality issue. He noted that currently, legislative language is being developed, and a bill sponsor and bill vehicle are being identified.

Mr. Pryor stated that MAG is looking for potential allies in this legislative effort as this ruling impacts all states in the Ninth Circuit that do early implementation of contingency measures. This includes air quality districts in California and other states.

Chair Stanton thanked Mr. Pryor and asked if there were questions.

Mayor LeVault asked for clarification of the reasoning of the Ninth Circuit Court's decision on early implementation.

Mr. Pryor replied there was disagreement on this decision even among the Ninth Circuit Court due to interpretation of the law.

Mr. Dennis Smith stated that the early implementation of contingency measures has been a practice for approximately 20 years. He indicated that while this was in the Ninth Circuit Court, EPA was in agreement with Arizona in saying that early implementation should happen. Mr. Smith stated that a strict interpretation that goes to the Supreme Court could impact the entire U.S. He said that MAG is looking

for a vehicle bill and to work with the California and Arizona delegations, and perhaps others, to memorialize what has occurred over the past 20 years.

Mayor Jay Tibshraeny asked if they were looking for a bill sponsor from California.

Mr. Pryor stated that the focus is currently on Arizona efforts and outreach to its senators and representatives. He stated that there was a preparation meeting with Capitol Strategies last week. Mr. Pryor stated that they are currently seeking an Arizona bill sponsor with outreach to California. He indicated that the preference would be a bipartisan, two-state effort in the Senate and the House.

Mayor Tibshraeny asked for detail on the consultant.

Mr. Pryor stated that the consultant is Capitol Strategies, led by former U.S. Congressman Jim Kolbe and Mr. Steve Bloch. He added that Capitol Strategies also is working with MAG on the Border Crossing Card.

Mayor Jim Lane asked if a motion was necessary to accept the Executive Committee direction on this issue.

Mr. Dennis Smith noted that this item was on the agenda for possible action. If the Regional Council desires, it could take action to support the strategy approach with Capitol Strategies. He added that the contract with Capitol Strategies had already been approved by the Executive Committee.

Mayor Jim Lane stated that he would make that motion to support the strategy as laid out by Mr. Pryor. Mayor Michael LeVault seconded, and the motion passed unanimously.

15. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting were requested.

No requests were noted.

16. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Chair Greg Stanton noted that yesterday, *Forbes Magazine* named this region the fourth best region in the U.S. for young professionals. He added that this region was not even on the list last year. Chair Stanton stated that it is great to have this distinction and it is a good sign for the future.

Adjournment

There being no further business, the meeting adjourned at 12:55 p.m.

Chair

Secretary